

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

YESENIA DE LOS ANGELES MORALES D/B/A YESENIA'S DAYCARE CENTER, LLC, SP 2014-LE-156 Appl. under Sect(s). 8-305 and 3-403 of the Zoning Ordinance to permit a home child care facility. Located at 6017 Hanover Ave., Springfield, 22150 on approx. 9,243 sq. ft. of land zoned R-4. Lee District. Tax Map 80-3 ((2)) (23) 14. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on March 25, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation, and the Board generally adopts their rationale.
3. The applicant has acknowledged reading, understanding, and concurring with the development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Yesenia de los Angeles Morales, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6017 Hanover Ave., and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Plat Showing House Location Survey, Lot 14, Section 5, Block 23," prepared by Barry L. Wissinger, L.S., on June 3, 2004, as revised by Yesenia Morales through March 27, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

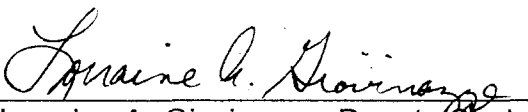
4. The hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:30 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up of the children shall occur in the driveway.
10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. All final inspections and building permits must be obtained and approved for the existing deck and enclosed porch. Until these permits are obtained, the applicant shall not utilize either area for the home child care.
12. Within six months of approval, the applicant shall bring her patio into conformance with the Zoning Ordinance, either through the removal of material or through an application for an error in building location.
13. Any portions of the dwelling associated with the home child care facility that are used as children's sleeping areas shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building code.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Byers seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:


Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals